THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24288 OF 1996

Dated 23rd March 2006

Between:

Valadri Ramalingaiah

…Petitioner

And

The District Collector, Khammam & others

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24288 OF 1996

O R D E R:

The petitioner states that he purchased an extent of Ac.0-25 cents of land in Sy.No.138/1583 of Manuguru, from the original owner, through sale deed dated 31.5.1985, and constructed a house, after obtaining permission from the Gram Panchayat. He states that out of Ac.0-25 cents, an extent of Ac.0-08 cents was sold to another person. The Mandal Revenue Officer, Manuguru, the 2nd respondent herein, issued notice dated 9.10.1996, to the petitioner, stating that the land in the said survey number was resumed to Government, through orders passed by the Special Deputy Collector, Paloncha, in LTR Case No.331/1987, dated 30.1.1988. The petitioner was directed to show-cause as to why action shall not be taken against him, for violating the said orders. The same

is challenged in this writ petition.

On behalf of respondents 1 and 2, a counter affidavit is filed, extensively referring to the various proceedings that have been initiated, in respect of the land referred to above. It is stated that once the persons in possession of the said land were evicted, in pursuance of the orders in LTR Case No.331/1987, the petitioner cannot have any grievance.

Heard the learned counsel for the petitioner and learned Government Pleader for Social Welfare.

The petitioner feels aggrieved by a notice issued by the 2nd respondent. The impugned notice makes a clear reference to the order passed by the Special Deputy Collector, Paloncha, in exercise of powers under the Andhra Pradesh (Scheduled Areas) Land Transfer Regulation, Regulation 1 of 1959, as amended by Regulation 1 of 1970. It is not known as to whether the petitioner figured as a party in LTR Case No.331/1987. The impugned notice is exclusively based upon the said orders. The petitioner has to work out his remedies, *vis-à-vis* the said orders. If he is not a party to such proceedings, the Special Deputy Collector and the District Collector-cum-Agent to the Government have to be apprised of the fact, and the possession of the petitioner deserves to be protected. On the other hand, if the petitioner was made a party to such proceedings, he has to prefer an appeal, with an application to condone the delay, duly explaining the circumstances.

Therefore, the writ petition is disposed of, leaving it open to the petitioner, to work out his remedies in accordance with law, *vis-à-vis* the orders in LTR Case No.331/1987. *Status quo* obtaining as on today shall be maintained, for a period of four weeks. There shall be no order as to costs.

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23rd March 2006

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